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FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

OCT 17 2006

at 3 o'clock and 15 min. P.M.
SUE BEITIA, CLERK *W*

Attorneys for Plaintiff

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA)	Cr. No. 03-00494-013 SOM
)	
Plaintiff,)	MOTION FOR PAYMENT OF FINE
)	WITH BOND MONEY
vs.)	
)	
CLEMENT SANTIAGO,)	
)	
Defendant.)	
)	

MOTION FOR PAYMENT OF
FINE WITH BOND MONEY

Now comes the United States of America, by and through its undersigned counsel, for the District of Hawaii, and states as follows:

1. On November 12, 2003, the Defendant, CLEMENT SANTIAGO (hereinafter referred to as "Defendant") deposited \$15,000.00 in the Court Registry as bail. The bond entered by the Defendant is on file in the Office of the Clerk of this Court and is incorporated as part of this motion by express reference as if set out in haec verba.

2. On September 25, 2006, the Defendant was sentenced to pay a special assessment of \$100.00, and a fine of \$2,000.00. To date, the Defendant has a fine balance of \$2,100.00.

3. Title 28, United States Code, Section 2044, provides in pertinent part:

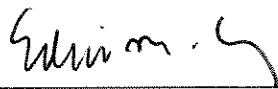
On motion of the United States attorney, the court shall order any money belonging to and deposited by or on behalf of the defendant with the court for the purposes of a criminal appearance bail bond (trial or appeal) to be held and paid over to the United States attorney to be applied to the payment of any assessment, fine, restitution, or penalty imposed upon the defendant.

Accordingly, the Defendant's money on deposit with the registry will be applied to the fine as ordered by the Court. The Defendant will receive an accounting from the United States Attorney's Office of the distribution of the money.

WHEREFORE, the Plaintiff, United States of America, moves this Court pursuant to the Federal Debt Collection Act of 1990, Title 28, United States Code, Section 2044, to enter an order in the above-entitled cause directing the Clerk of this Court to apply \$2,100.00 of the funds presently on deposit in the Court Registry to the fine adjudged in this case.

DATED: October 12, 2006, at Honolulu, Hawaii.

EDWARD H. KUBO, JR.
United States Attorney
District of Hawaii

By: 
EDRIC M. CHING
Assistant U.S. Attorney

Attorneys for the Plaintiff